


State of Oregon
Department of Environmental Quality

Memorandum

Date: Sept. 7, 2017
To: Environmental Quality Commission
From: Leah Feldon, Deputy Director 
Subject: Agenda item O, Informational item: Cleaner Air Oregon updates
Sept. 13-14, 2017, EQC meeting

Why this is important Staff will present updates on the timeline and development processes to-date for the Cleaner Air Oregon program. The commission will be asked to take action on proposed rules in June 2018, and has asked for regular updates at its meetings.

Recent activity Since the July EQC meeting, DEQ and OHA staff have continued to work with the Cleaner Air Oregon Rules Advisory Committee to develop initial discussion drafts of the proposed rules. That committee held its final meeting August 29 and 30 in Portland, and staff will provide an update on the outcomes of that meeting as part of the commission update. Staff will also provide a summary of key issues related to program development, proposed funding, and outreach.

The project team has also developed a high-level summary of the proposed rules, which DEQ will refine and use as part of its outreach materials. That summary and the discussion draft rules are attached to this staff report.

Program background and timeline Governor Kate Brown launched the Cleaner Air Oregon regulatory reform in April 2016 after air toxics data showed gaps in the federal and state regulatory authorities and responses. The program is a statewide initiative to reform the regulations that control industrial air toxics emissions.

Since April 2016, staff from DEQ and the Oregon Health Authority have worked together with a formal rules advisory committee, a technical workgroup, community members and relevant local, state and federal agencies to develop a comprehensive and health-based program and associated rules.

The commission has the regulatory authority for the approval of rules, and DEQ intends to bring proposed rules for commission action in June 2018 following a two-month public comment period, public hearings and other opportunities for enhanced community engagement across Oregon.

The next steps for the program include refinement of the discussion draft rules in response to advisory committee feedback. Parallel to that agency development process, some community groups and advocacy organizations, many of which were represented on the rules advisory committee, are working with EPA to coordinate community-based workshops to help people understand the general scope of the rules and ways to make effective public comment. DEQ and OHA are not the organizers of these meetings, expected to occur in mid-September in Portland, Corvallis and The Dalles, but staff have been asked to participate and provide technical assistance and other contextual information as part of these workshops.

DEQ will open a formal public comment period starting Oct. 13, 2017, which will last 60 days. After that comment period, program staff will review all comments, making technical and policy changes as appropriate, respond to the comments, and prepare draft proposed rules for commission consideration.

**EQC
involvement**

There is no request for commission action at this time. DEQ will bring proposed rules for commission consideration in summer 2018.

Report compiled by Stephanie Caldera from program information
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